

YOUNG & THOMPSON

International Patent & Trademark Law

Established 1903

September 8, 2004



To: SPE Patrick RYAN
Group 1745
United States Patent and Trademark Office

Emil Bönnelycke
1875-1936

William H. Young
1902-1958

Irvin S. Thompson
1903-1979

VIA TELEFAX - 571-273-1292

Re: Claude Maurice DREULLE et al.
U.S. Appln. No. 09/936,231
Filed September 12, 2001
Our Ref.: 0512-1099

Dear Mr. Ryan:

Pursuant to our telephone conversation of yesterday, we transmit immediately hereafter a copy of a Petition to Withdraw the Holding of Abandonment which was filed in the United States Patent and Trademark Office on March 2, 2004, as well as a copy of our postcard receipt which evidences the filing of such Petition on that date.

Your prompt attention to this matter is sincerely appreciated.

Respectfully submitted,

YOUNG & THOMPSON

Benoit Castel

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MAIL STOP PETITIONS
Attorney Docket No. 0512-1099
PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of	Attention: Office of Petitions
Claude Maurice DREULLE et al.	Conf. 2580
Application No. 09/936,231	Group 1745
Filed September 12, 2001	Examiner C. Chaney
BOX FOR SET OF ELECTRIC STORAGE BATTERIES	

PETITION UNDER 37 CFR § 1.181
TO WITHDRAW THE HOLDING OF ABANDONMENT

MAIL STOP PETITIONS
Director of the US Patent & Trademark Office March 2, 2004
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Withdrawal of the holding of abandonment in the above-identified application pursuant to 37 CFR § 1.181 and § 711.03(c) of the Manual of Patent Examining Procedure (MPEP) is respectfully requested for the following reasons.

On August 5, 2003, Applicants filed a timely amendment in response to the Official Action of May 8, 2003.

Since we had not yet received a response to our amendment, we recently conducted a search on the Patent Application Information Retrieval (PAIR) system of the USPTO. The search revealed that a final rejection was apparently mailed on October 15, 2003, as is evidenced by the accompanying print-out.

Docket No.0512-1099

The undersigned registered patent attorney hereby states that no Official Actions have been received from the USPTO after the filing of the August 5, 2003 amendment, and attests to the fact that a search of the file jacket and docket records confirms that no USPTO communication has been received following Applicants amendment of August 5, 2003.

Petitioner submits herewith as Exhibit A a copy of the manual docket record where the non-received final Official Action would have been entered, had it been received and docketed for a due date of Thursday, January 15, 2004.

Petitioner submits herewith as Exhibit B a copy of the computer docket record where the non-received final Official Action would have been entered, had it been received and docketed for a due date of Thursday, January 15, 2004.

In addition, Petitioner also submits as Exhibit C a copy of the file jacket of the above-captioned application, which clearly reveals that no additional entry has been made thereon following the filing of the August 5, 2003.

A telephone call to Primary Examiner Carol Chaney on February 25, 2004 resulted in a courtesy copy of the substance of the final rejection being telefaxed to the undersigned attorney.

In view of the above remarks, and the accompanying Exhibits, it is respectfully submitted that Petitioner never officially received the final rejection mailed on October 15, 2003, which set out a shortened statutory period of three months, or until January 15, 2004, for response.

Docket No.0512-1099

Accordingly, it is respectfully requested that:

- 1) any holding of abandonment for failure to respond to the outstanding official action be withdrawn;
- 2) Applicants be provided with all USPTO communications dated after August 5, 2003, including the final rejection of October 15, 2003; and
- 3) the period for responding to the final rejection be restarted from the date of the re-mailing of the Final Office Action.

Respectfully submitted,

YOUNG & THOMPSON



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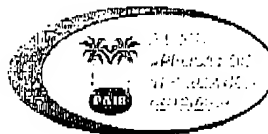
Enclosures copy of PAIR print out
Exhibit A - Manual docket for due date of
 January 15, 2004
Exhibit B - computer docket for due date of
 January 15, 2004
Exhibit C - copy of file jacket



United States Patent and Trademark Office

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PATENT APPLICATION INFORMATION RETRIEVAL



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Other Links

<input type="radio"/> E-Business Center Patents
<input type="radio"/> Employee Locator
<input type="radio"/> Class/Subclass OAU Information
<input type="radio"/> Information Contacts

Search results for application number:09/936,231			
Application Number:	09/936,231	Customer Number:	466
Filing or 371(c) Date:	09-12-2001	Status:	Final Rejection Mailed
Application Type:	Utility	Status Date:	10-15-2003
Examiner Name:	CHANEY, CAROL DIANE	Location:	1700 CENTRAL FILES OVERFLOW FRANCONIA
Group Art Unit:	1745	Location Date:	02-11-2004
Confirmation Number:	2580	Earliest Publication No:	-
Attorney Docket Number:	EDV/MAE BET 01/0599	Earliest Publication Date:	-
Class/ Sub-Class:	429/099	Patent Number:	-
First Named Inventor:	Claude Maurice, Beaurains, (FR)	Issue Date of Patent:	-
Title Of Invention: Box for set of electric storage batteries			

Select Search Option

☐ Foreign Priority☐ Publication Review

File History		
Number	Date	Contents Description
16	10-15-2003	Mail Final Rejection (PTOL - 326)
15	10-15-2003	Final Rejection
14	08-12-2003	Date Forwarded to Examiner
13	08-05-2003	Response after Non-Final Action
12	06-11-2003	Miscellaneous Incoming Letter
11	05-08-2003	Mail Non-Final Rejection
10	05-05-2003	Non-Final Rejection
9	09-12-2001	Information Disclosure Statement (IDS) Filed
8	09-12-2001	Preliminary Amendment
7	06-25-2002	Case Docketed to Examiner in GAU
6	01-25-2002	IFW Scan & PACR Auto Security Review
5	01-18-2002	Application Dispatched from OIPE
4	01-18-2002	Notice of DO/EO Acceptance Mailed
3	09-24-2001	Correspondence Address Change
1	09-12-2001	Initial Exam Team nn

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JANUARY 2004 Docket

AmendmentsIssue Fees

- 15 SATOH 8017-1081-1 09/875,039 Allowed? Brief ~~(Ext. 2)~~ PIP ext. 2
- ~~PICCHER 4301-1024 09/856,952 Allowed? Brief (Ext. 2) Ext + DIV 1-15~~
- ~~MATSUBA 0046-1022 09/880,938 Allowed? (Ext. 3) allowed 1-13~~
- ~~OFNER 4301-1049 09/889,095 FINAL (Ext. 2) RCE w/amdt 1/8 DEBLAHOUSE 0507-1006 10/131,854 pd 1-14~~
- ~~PAUFIQUE 0540-1005/1 10/051,175 Allowed? (Ext. 3) yd 1/9 MILLS 3003-1092 29/180,692 yd 1-14~~
- ~~POLDERVAART 2001-1227-1 10/331,632 (Ext. 2) ext 3 YAMAMOTO 0049-1003 10/229,144 pd 1-15~~
- ~~NAISHARA 10/046,701 (Ext. 1) amdt 1-12~~
- ~~PAUCHARD 0519-1008 10/181,691 (Ext. 1) ext 2~~
- ~~UCHIDA 0035-1018 09/087,813 (Ext. 1) amdt 1-14~~
- ~~GIACOMINI 2527-1006 09/980,830 ext 1~~
- ~~HERBERT 1509-1017 09/701,306 ext 1~~
- ~~IPSOEV 6503-1001 76/047,651 drop 1-14~~
- ~~ISHIKAWA 002-1020 09/327,430 amdt 1-12~~
- ~~SUZUKI 8038-1015 10/207,764 ext 1~~
- ~~INAO 0040-1041 09/613,331 SP amdt 1-8~~
- ~~WORLDWIDE 5530-1003 76/483,560 amdt 1-15~~
- ~~WORLDWIDE 5530-1004 76/483,561 drop 1-14~~
- ~~VAN SOEST 2001-1209 09/869,706 FINAL PIP - ext 1/1 amdt AFX 1-20~~
- ~~WERNER 1510-1079 10/258,483 SP (transfer in case) resp. 1-15~~

EXHIBIT A

JANUARY 2004

15

Thursday, March 11, 2004

Report Selection

Received: 10

- ☒ by Due Date
☐ by Due Date (Calendar)
☐ by Attorney
☐ by Attorney (Via Email)
☐ by Client

Report Format
☐ Concise
☒ Comprehensive

Remarks
☐ Print
☒ Do Not Print

Preview before printing ☒

From Date: 15-Jan-2004

To Date: 15-Jan-2004

Status Codes:

Status(es):

Client:

Attorney:

Action Type:

Action Due:

Indicator:

Country:

Area:

- Status Codes:
☒ Active
☐ Inactive
☐ All

EXHIBIT B

Final Report March 04, 2004

Due Date List By Date

Page 1

Due Date	Action Due	Case Number/SubCase	Status	App Number	App Date	Attys
Indicator	Action Type	Country	Client	Pat Number	Iss Date	
15-Jan-2004	IDS ACTUAL Follow Up Date	1501-1194 /	Pending	10414,222	16-Apr-2003	
Due Date	IDS ACTUAL	United States of America	ALBERNS STOCKHOLM			
Title: AUTOMATIC MAILING MACHINE AND METHOD OF HANDLING POSTAL ITEMS						
15-Jan-2004	3 Month Due Date	1509-1017 /	Pending	09701,306	28-Nov-2000	
Due Date	US-3 Month Office Action	United States of America	DR. LUDWIG BRANN PATENTBYRA AB (GAVLE)			
Title: BICYCLE						
15-Jan-2004	Foreign Filing Due	2001-1241 /	Pending	60/440,028	15-Jan-2003	
Final	Foreign Filing	United States of America	NEDERLANDSCH OCTROOIBUREAU			
Title: BACTERIA TRAPPING FIBROUS MATERIAL						
15-Jan-2004	Information Dis Follow Up Date	2503-1052 /	Pending	10/466,305	19-Dec-2003	
Due Date	Information Disclosure Sumit	United States of America	BLANCHETTI BRACCO MINOJA			
Title: STABILIZED BRUVUDINE TOPICAL FORMULATIONS CONTAINING METAL OXIDE PIGMENTS						
15-Jan-2004	Information Dis Follow Up Date	2511-1029 /	Pending	10/618,714	15-Jul-2003	
Due Date	Information Disclosure Sumit	United States of America	ING. LIRICI COLOBERTI			
Title: CLAMPING DEVICE FOR WORK PIECES, WITH SCRAPING MEMBER						
15-Jan-2004	Information Disclosure Sumit	2546-1004 /	Pending		15-Oct-2003	
Due Date		United States of America	ING. A. GIAMBROCONO & C. S.R.L.			
Title: METHOD AND MEANS FOR CONSTRUCTING MASONRY WALLS						
15-Jan-2004	Information Dis Follow Up Date	8009-1014 /	Pending	10/618,704	15-Jul-2003	
Due Date	Information Disclosure Sumit	United States of America	HARADA PATENT OFFICE			
Title: DELAY OPTIMIZATION DESIGNING SYSTEM AND DELAY OPTIMIZATION DESIGNING METHOD FOR A LOGIC CIRCUIT AND CONTROL PROGRAM						
15-Jan-2004	Information Dis Follow Up Date	8012-1196 /	Pending	10/618,745	15-Jul-2003	
Due Date	Information Disclosure Sumit	United States of America	KYORITSU INSTITUTE FOR INTERNATIONAL IND. PROP.			
Title: SYMBOL DISPLAY DEVICE FOR GAME MACHINE						

Missing, March 02, 2004		Due Date List By Date		Page: 2	
Due Date	Action Due	Case Number/SubCase	Status	App Number	App Date
Indicator	Action Type	Country	Client	Pat Number	Iss Date
15-Jan-2004	1st Extension Brief	8017-1081 / 1	Pending	09/875,039	07-Jan-2001
Due Date	US-Notice of Appeal	United States of America	WAKABAYASHI PATENT AGENCY		RJP
Title: LIQUID ELECTROLYTE SOLUTION INCLUDING A HALOGENATED ABD ALIPHATIC POLYOLFIN DISSOLVED THEREIN AND SECONDARY BATTERY					
15-Jan-2004	Information Dis Follow Up Date	8017-1095 /	Pending	10/619,001	15-Jul-2003
Due Date	Information Disclosure Sheet	United States of America	WAKABAYASHI PATENT AGENCY		
Title: MANUFACTURING METHOD OF SEMICONDUCTOR DEVICE					

DREULLE et al.

U.S. APPLN. NO. **09/936,231**
 Conf # **2580**

GROUP **1745**

ATTORNEY **Cabinet Lavoix**

INVENTOR **Claude Maurice DREULLE and Pierre Georges LENAIN**

ASSIGNEE **Hawker SA of Arras, FRANCE**

TITLE **BOX FOR SET OF ELECTRIC STORAGE BATTERIES**

FILED **September 12, 2001** SERIAL NO. **CONF. # 2580**

ALLOWED _____ ISSUE FEE PAID _____

NON-CONVENTION _____ PATENT NO. _____

C.C. FILED **PCT** ISSUED _____

FOREIGN APPLNS. **FRANCE-Appln. No. 99/03012 filed March 11, 1999**

PCT/FR00/00598 filed March 10, 2000

Paper Filed _____ September 12, 2001
 Declaration _____ September 12, 2001
 Assignment _____ September 12, 2001
 ID filed _____ September 12, 2001 X
 if Pp. for Notch. of Accept. --- March 15, 2002
 OFFR. Fed. to L. --- Mar 22, 02
 Assign to L. --- March 26-02
 [] --- MAY - 8 2003
 Rpt --- May 21-03
 Reg. Corp. --- June 11-03
 Amtr. Rep. --- Aug 5-03

SMALL ENTITY STATUS CLAIMED YES ☐ NO ☒

August 8 X

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EXHIBIT C

3/2/2004
0512-1099

THE STAMP OF THE PATENT OFFICE MAIL HEREON
ACKNOWLEDGES THE RECEIPT OF THE BELOW-IDENTIFIED
DOCUMENT ON THE DATE INDICATED BY SUCH STAMP.

In re: Claude Maurice DREULLE Conf. 2580
S.N. 09/936,231 MAIL STOP Mail Stop Petitions
Petition Under 37 CFR § 1.181 To Withdrawal Holding of
Abandonment with copy of PAIR print out, Exhibit A (Manual docket for
due date of January 15, 2004), Exhibit B (computer docket for due date of
January 15, 2004) and Exhibit C (copy of file jacket)
BC/maf
0512-1099

